

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Theresa Marie Chappell,

Plaintiff,

Civil Case No. 18-11400

v.

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

/

ORDER ADOPTING
8/19/19 REPORT AND RECOMMENDATION

Plaintiff Theresa Marie Chappell filed this action seeking judicial review of Defendant Commissioner's final decision denying her application for Supplemental Security Income benefits. The matter was referred to Magistrate Judge Anthony Patti for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation ("R&R") issued on August 19, 2019, the magistrate judge recommends that the Court: 1) grant Plaintiff's motion for summary judgment (ECF No. 15) and deem her previous motion (ECF No. 11) as withdrawn; and 2) deny Defendant's motion for summary judgment and remand this matter to the Commissioner for further action.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the August 19, 2019 R&R.

IT IS ORDERED that Defendant's Motion for Summary Judgment (ECF No. 18) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's previous summary judgment motion (ECF No. 11) is deemed WITHDRAWN:

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (ECF No. 15) is GRANTED and the this matter is REMANDED to the Commissioner for further action as set forth in the R&R.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: September 5, 2019